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SIPDIS

STATE FOR EUR/SE AND NEA/NGA  
NSC FOR BRYZA AND MCKIBBEN  
TREASURY FOR OASIA - MILLS

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TAGS: [PGOV](#) [PHUM](#) [ECON](#) [MARR](#) [TU](#) [IZ](#)  
SUBJECT: SOUTHEAST TURKEY ECONOMIC OUTLOOK PESSIMISTIC,  
SOME RELIGIOUS FREEDOM ISSUES PERSIST

(U) Classified by DCM Robert Deutsch. Reasons 1.5 (b) and (d).

(U) This cable was drafted by Consulate Adana.

1. (C) Summary: Reporting officers traveling in southeast Turkey April 19-22 heard negative economic outlooks from a broad array of contacts, as well as reports of some continuing religious freedom restrictions. Contacts said implementation of the recently passed Turkish EU reform packet laws was decidedly mixed and incomplete, depending on local official attitudes and interpretation, though some noted improving human rights conditions, such as Syriac Christian returns in Mardin, in some areas. The Habur gate continues functioning roughly at approximately 2600-2700 total transits daily (north and southbound), below the 3700 daily transits target.

Southeast Turkey's road infrastructure feeding the northern Iraqi ground line of communication (GLOC) is seriously degraded by heavy use and seasonal weather. The Habur Gate modernization project is reportedly ready to start in May-June and expected to take six months to complete. End Summary.

2.(SBU) Embassy Ankara EconCouns and AmCon Adana PO visited contacts in Diyarbakir, Mardin, Batman, and Sirnak provinces, also transiting the full GLOC through Adana, Osmaniye, Gaziantep, and Sanliurfa provinces from April 19-22.

Iraq Trade

3. (C) Discussions at the April 21 weekly Habur Gate border meeting indicated that the gate continues functioning at approximately 2600-2700 total transits daily (north and southbound), below the 3700 daily transits target. Border relations remain functional, but heavy coordination, troubleshooting and border liaison remain necessary daily to keep the operation from derailing.

4. (C) Meanwhile, Southeast Turkey's road infrastructure feeding the northern Iraq ground line of communication (GLOC) is being seriously degraded by heavy use and seasonal weather effects. The highway from Sanliurfa through Cizre and Silopi to Habur Gate is in uniformly bad shape. The Habur Gate modernization plan, according to a Cizre Chamber of Commerce contact working with TOBB - the project's prime mover - is slated to start in May-June and expected to take six months to complete. It is unclear what impact the modernization process will have on border transit rates since only part of the

available border inspection positions are staffed and in use at any one time. There is still inadequate information from the GOT on which to base an assessment of interim impact on operations and possible expanded productivity post-modernization.

#### Economic Conditions

15. (SBU) The consensus among our interlocutors was that regional economic conditions remained poor and local conditions near the Habur gate communities of Cizre and Silopi decidedly downbeat, despite two years of national economic growth. Contacts consistently cited lack of jobs -- and little hope for future job opportunities -- as the biggest problem. In Cizre, per capita income was assessed at USD 680 dollars and falling by the local Chamber of Commerce head. Rumors of (an apparently phantom) U.S.-Iraqi trade show shift from Baghdad to Diyarbakir or Gaziantep had swept the region's small business community like wildfire even though reporting officers could not corroborate it. The manner in which the rumor was embraced and nurtured suggested the almost desperate nature of the region's commercial community. There was little evidence of new investment, and we received a credible report, confirmed to AmCon Adana by the plant's owner, that the Sirnak province-based "Mezopotamya" lentil processing factory had closed its operations in Turkey and moved to northern Iraq, s Dohuk province to minimize exposure to relatively high Turkish taxes and take advantage of lower northern Iraqi labor costs.

16. (C) Contacts in Cizre and Silopi argued that the sharp increase in Turkish-Iraqi trade over the past year had so far had little positive impact on the local economy. In fact, a local contact who is a Nakshibende tarikat leader with wide regional contacts explained how the recent decision of the Sirnak governor to close the Habur gate to local day traders (largely in fuel) was threatening widespread small entrepreneur failure since many day traders had taken out loans in recent months to buy a truck, small tanker or car to pursue day trade. He also decried that same governor's continuing resistance to allowing former villagers now resident throughout southeast Turkey to return to their Sirnak province villages where, he maintained, they could at least maintain subsistence levels of agriculture.

#### Religious Freedom

17. (C) In Diyarbakir, EconCouns and PO met with Diyarbakir Protestant Evangelical Church leader Ahmet Guvener. Guvener is currently facing prosecution for operating a church in a building not approved for non-residential purposes. His next hearing is May 12. Guvener explained that the church has been meeting since 1994 and that, when its current facility was submitted several years ago for construction zoning, the law did not allow for any religious dwelling other than a mosque. Therefore, at that time, the city applied a residence label to the structure. Later, in late 2003 when the law was amended to allow for non-mosque religious dwellings, the Diyarbakir governate brought suit against him for operating a church in a dwelling. He explained that

he has applied for the new religious dwelling designation, but the same governate authority has yet to grant it.

18. (C) In a subsequent meeting, the Deputy provincial prosecutor as well as the prosecutor assigned in the Guvener case explained that they were pursuing the case, under Article 261, based on an order from the Diyarbakir governor's religious and historical commission. They said that they had no leeway in whether to pursue the case, that it was not religious in nature, but zoning-based, and that the prosecutor's office was using the same statute to pursue similar cases against two improperly zoned private schools in the province.

19. (C) In Midyat, Mardin province, Syriac Orthodox Bishop Samuel Aktas and other Syriac community leaders told us that the religious freedoms of their community continue to be restricted. While noting the slow, but steady return of Syriac Orthodox returnees from western Europe, Bishop Aktas criticized the GOT for continuing to prevent foreign Syriac Orthodox clergy access to the important Tor Abdin area through visa denial, GOT refusal to allow instruction of Syriac Orthodox clergy in Turkey, and the continuing GOT denial of the right to teach openly Aramaic to the Syriac Orthodox community. monastery through early morning classes for school-age children, the Bishop and the community want open language rights embraced in public schooling which they consider denied since their 1995 request to teach Aramaic openly continues to be unanswered by the GOT. Asked whether they have repeated the language education request since the new laws were passed in 2003, they said that they had not, but some community members in Istanbul were considering doing so.

110. (C) The Bishop confirmed the Mardin governor's assertion that he (the Governor) had authorized people to return to 120 of 129 previously-evacuated villages in Mardin, many of which has been majority Syriac. He said that the "problem areas" for Syriac return now was in neighboring Sirnak province, where on some occasions village guards were being allowed to reside in the villages. The Bishop complained that some local jandarma, village guard and district level officials were using zoning laws to frustrate and delay historical church and building restoration in Mardin and Sirnak provinces, claiming that such buildings were not included on state historical building registries and therefore deserved no state protection. He argued that the Syriac Orthodox community was systematically denied community protections because it was not explicitly mentioned in the Lausanne Treaty and that state authorities had rebuffed past attempts to garner recognition of these sites

#### Other Human Rights Issues

111. (C) Diyarbakir Bar Association contacts said that torture remains a police tool, especially in terrorism-related cases, and that -- based on documented cases to date projected forward for the year -- there would be "several hundred torture cases again this year." A Bar Association contact said that police and Jandarma now used more

sophisticated torture methods, mentioning that "they use less electric shock and more foot beating," which left less easily catalogued effects. He also said that the strong solidarity showings of entire district police forces in the few cases in the region in which which prosecution of alleged torturers have been pursued demonstrate the depth of institutional belief in the continued validity of that technique.

¶12. (C) This contact explained that the bar association was distributing several hundred thousand small cards to explain detainee attorney access rights through the province county clerk-equivalent system (muhtar system), and also was mulling starting a bar association-supported radio broadcast to raise citizen awareness on legal defense issues. Another bar association contact noted similar awareness-raising activities are needed to counter high rates of domestic and children's violence as well as women's rights issues. Both bar association contacts expressed the need for the GOT to offer an improved version of the "return to home law" offered in late 2003-early 2004, explaining that they had offered informally to the GoT as early as June 2003 what they considered options short of a general amnesty which would have had markedly better success than that garnered by the recently closed "return to home law."

¶13. (C) The Diyarbakir Deputy Provincial Prosecutor said that the Prosecutor had implemented a series of seminars to educate all prosecutors and senior law enforcement officials on the new EU reform packet laws, and that 60 of the roughly 200 designated personnel had received instruction to date. Also prosecutors had recently spot-inspected 14 of 16 Diyarbakir districts recently to determine whether detainees were being given access to attorneys. He reported that approximately 80 percent of initial detainees had been released within a day of initial detention because their offenses were minor and resolved locally or scheduled for prosecution at a later date. Almost all the remaining detentions, he said, had sought and obtained access to an attorney. When asked whether a procedure could be implemented whereby all detainees could express whether they wanted an attorney in the presence of a lawyer, the Deputy Prosecutor agreed such a step could resolve gray area attorney access issues, but said it would require a new law.

¶14. (C) As noted above, contacts indicated that villagers were being allowed to return to previously-evacuated villages in Mardin province, but not in Sirnak Province. Bishop Aktas attributed the Sirnak governor's resistance to a concern that returning villagers might support Kongra Gel, as well as a preference not to upset the balance between the Ministry of Interior-linked governorate and the military, which he alleged favored the position of their village guard allies now controlling cultivation in the currently evacuated villages. Osman Baydemir, the newly-elected Diyarbakir mayor (DEHAP) expanded this charge to include alleged village guard involvement in narcotics and its transformation into a regional organized crime syndicate of

considerable scale.

¶15. (C) The sole UNHCR field officer in Silopi explained that she was largely idle awaiting finalization of a Makhmour refugee camp resettlement agreement. She had recently performed some resettlement verification in Sirnak and Siirt provinces and found little complaint from the few returnees. She noted that it was hard to determine the validity of these comment, as her verification missions always were conducted in the presence of Turkish security force escorts. She said that there was little consistent information available on the resettlement assistance funds offered by the GOT for returnees, though she had witnessed the extension of basic infrastructure and, in some cases, building materials, to some villages. Funding stipends did not seem to have been provided to the returnees, but it was not clear to her that such money ever was promised explicitly. She said that the one consistent complaint by returnees was the lack of job opportunities in the region, which she observed was part of a broader regional unemployment problem not specific to returning refugees. This problem, she predicted, could be a negative factor influencing possible Makhmour return flow should a final agreement be reached.

#### Security Situation

¶16. (C) There were credible reports from UNHCR and local Mardin contacts of road-placed, command-detonated improvised explosive devices or possible mines used in the last several weeks against Jandarma vehicle patrols in south Mardin and Siirt province, the latter near Eruh township. Jandarma observed patrolling the road near Gercus in south Batman province on 4/21, site of another IED or mine attack about six weeks ago, were using heavy six or eight wheeled APCs and riding on top of the vehicles in improvised sandbagged positions.

¶17. (C) Diyarbakir Bar Association contacts claimed that ongoing GOT military operations were the result of a Kongra Gel decision to move its center of activity into traditional Spring-Summer encampments in anticipation of possible coalition actions against them in northern Iraq. They claimed that the Turkish military knew Kongra Gel's intentions and regular routes for performing this redeployment and was taking advantage of the movement to hit the Kongra Gel in Siirt, Sirnak and Hakkari provinces before it had consolidated into new fortified areas.

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